

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	§	
	§	
	§	
Technical and Operational Feasibility of	§	
Enabling Flexible Use of the 700 MHz	§	PS Docket No. 06-229
Public Safety Narrowband Allocation and	§	
Guard Band for Broadband Services	§	
	§	
	§	

**COMMENTS OF REGION 6 700 MHZ REGIONAL PLANNING COMMITTEE**

The Region 6 700 MHz Regional Planning Committee (“RPC6”), pursuant to Section 1.415 of the Federal Communication Commission (“FCC” or “Commission”) Rules and Regulations, 47 C.F.R. § 1.415, respectfully submits these comments regarding Public Notice DA 10-1877.1.

**1. INTRODUCTION**

1.1 The Region 6 700 MHz Regional Planning Committee (“RPC6”) commends the FCC for opening a comment period to understand the impacts to public safety licensees within Region 6 and further understand the interoperability challenges that may be faced should the Commission move forward with any changes to the 700 MHz band plan.

## **2. REGION 6 700 MHZ REGIONAL PLANNING COMMITTEE (RPC6)**

2.1 Region 6 700 MHz Regional Planning Committee (RPC6) comprises the 48 counties of California situated north of the northernmost borders of San Luis Obispo, Kern and San Bernardino counties, commonly referred to as Northern California. RPC6 contains the cities of San Francisco, San Jose, Oakland, and the state capital Sacramento. RPC6 covers three of the state's four major metropolitan census areas and contains well over 15 million residents. For additional detail regarding RPC6, please refer to our website – [www.rgn6rpc.org](http://www.rgn6rpc.org)

## **3. COMMENTS**

### Responses to FCC Questions

3.1 What is the current and anticipated use of 700 MHz narrowband networks?

a. The RPC6 Plan was approved by the Commission on October 22, 2009. Upon approval of the Plan, the RPC opened the first application window to receive applications and within less than thirty days received five separate applications from jurisdictions within RPC6. These applications were reviewed and received RPC6 approval during the first half of 2010, and have subsequently been licensed by the Commission. The geographic area of these licensees covers the counties of San Francisco, Marin, Sonoma, Alameda, Contra Costa, and San Mateo counties. With very little exception, each of these county allotments is now fully licensed for narrowband P25 operations with virtually no additional allotments possible.

As the Commission is well aware, the San Francisco-Oakland-San Jose Area is a frequency congested area with Public Safety having very little room for growth over the past 15 years. The 700 MHz narrowband spectrum was the only solution for Public Safety entities to enhance their

operations with increased interoperability and/or using the 700 MHz spectrum to meet the 2013 narrowband deadline. At this time RPC6 is aware that each of these 5 applicants has begun deploying their respective systems, or currently engaged in contract procurements to begin deployments in the next 90 days. As part of the application process, applicants must submit that funding has already been secured prior to receiving approval from RPC6. Based on this process RPC6 believes that all five of these applications already has secured funding and/or already awarded contracts for these deployments. While RPC6 does not actively track the dollars spent by these entities, a best guess estimate of these five narrowband systems is well over two hundred million dollars. RPC6 believes that these five systems will be fully completed in the next 2-3 years.

With respect to broadband deployments, there are active plans to deploy a 700 MHz broadband system across the San Francisco-Oakland-San Jose area, with coverage directly overlapping the current five narrowband systems in deployment. The RPC6 is not engaged in anyway with the 700 MHz broadband applicant to understand their respective project plans related to infrastructure sharing. Our general knowledge is that each of the current narrowband licensees is their own jurisdiction without shared governance and as such maintain their own infrastructure and operations. If the Commission wished the RPC's to be involved in the planning process for broadband it should begin to actively engage the RPC's to be involved in the process that has allowed waivers for broadband deployments. Allowing the RPC's to be involved in the waiver process would likely result in better information sharing, a higher level of governance and interoperability planning, and potentially fostering better infrastructure sharing between the narrowband and planned broadband systems.

3.2. Would the flexibility to offer broadband services in all or a portion of the 700 MHz narrowband spectrum and/or the guard band promote more efficient use of 700 MHz public safety spectrum? Are there efficiency gains that could be realized by enabling this flexibility? For example, could the use of the narrowband spectrum help satisfy needs for increased broadband capacity? Or could broadband spectrum help satisfy the needs for narrowband capacity over time? What would need to happen for this to occur?

a. The Region 6 700 MHz Regional Planning Committee strongly opposes any further reorganization of the 700 MHz band for these main reasons: 1) there is a specific demand for narrowband 700 MHz spectrum for the expansion of mission critical voice systems, and, 2) With thirty- five 700 MHz Regional Plans approved, four completed 700 MHz Plans pending at the FCC and several Region-approved plans in the adjacent regions concurrence phase, the contemplated Commission action would require those plans to be re-written - some for a second/third time.

The 700 MHz narrowband allocation needs to remain narrowband without flexible option for broadband operations into the narrowband spectrum. The 700 MHz band became fully available in the major metropolitan areas and state licenses only about a year ago. Since that time, numerous Regional Plans have been approved and agencies are filing applications to deploy 700 MHz narrowband networks including five licensees in Region 6. Since their 700 MHz Plans were approved, agencies in Region 6 and most surrounding Regions have begun filing applications and have been granted licenses for 700 MHz narrowband systems. Other Regions have several applications for narrowband systems still undergoing the regional review process. These applications demonstrate the genuine need for 700 MHz narrowband spectrum to satisfy a rising demand of, in some cases, over 10 years. The 800 MHz band has been unavailable in the

major metropolitan areas for ten to fifteen years in some cases. The 700 MHz band is the only option agencies in densely populated cities and suburban areas have if they wish to deploy mission-critical voice systems.

3.3 If flexibility in the narrowband spectrum were allowed, what role should the 700 MHz RPCs and the states play in its implementation?

a. The RPC's should have a vital role in these upcoming broadband implementations. More specifically, the RPC's should be deeply engaged in the ongoing waiver process to ensure spectrum planning efforts are aligned across the region and encourage shared infrastructure in order to meet the goal of making the most efficient use of very limited public safety spectrum. As is the case in RPC6, there are active plans for broadband deployments within this region based on the waiver submitted by the cities of San Francisco, Oakland and San Jose, however RPC6 is not engaged in their planning process nor have any knowledge of what broadband services, technologies, applications, or if voice communications are planned to be deployed now, or in the future with this early build out. The Commission should consider including the RPC's as a preliminary reviewing entity for all current and future waiver submissions, and include the RPC's in reviewing of quarterly progress reports to eliminate any duplicative narrowband spectrum requests that may be planned to be met with a broadband deployment or vice versa. The Commission should also consider including the RPC's as a reviewing entity for submitted Interoperability Showing Documents to ensure that technical criteria for planned broadband deployments will not cause interference with narrowband licensees, a responsibility that has typically been done by regional frequency coordinators for other radio services.

3.4 What would be the impact of allowing flexibility on the development of broadband, narrowband, and dual-use equipment in the 700 MHz public safety spectrum?

a. A single device that is capable of operating on both narrow and broadband systems will reduce costs for public safety agencies, eliminating the need for multiple devices. However, it would be imperative that such devices would not be manufactured in a manner that encourages or promotes the flexible use of the 700 MHz spectrum.

3.5 If the Commission were to permit flexible use of the narrowband spectrum, what if any impact should this have on the existing rules that require 700 MHz narrowband systems to narrowband to 6.25 kHz bandwidth channels by December 31, 2016?<sup>7</sup> Should the Commission reconsider this requirement? Would public safety resources be better spent transitioning 700 MHz narrowband operations onto a broadband platform?

a. RPC6 strongly recommends the Commission to extend the 6.25 kHz requirement to January 2024. Since Congress did not set a date certain for the DTV conversion so that Public Safety could begin using the 700 MHz band of spectrum, and since the Commission has not “compensated” those same public safety agencies by granting extensions of the January 2017 deadline for realization of 6.25 kHz equivalency efficiency of the 700 MHz radios used in the 700 MHz band, and because public agencies have a vested interest in protecting their respective investments in current P25 radios that today only operate as P25 Phase One, we urge the Commission to postpone the deadline for 6.25KHz channels spacing efficiency to January, 2024.

4.

**CONCLUSION**

4.1 The Region 6 700 MHz Planning Committee is pleased to have the opportunity to present its comments to the Commission's Public Notice and urges consideration of our suggestions and welcomes further discussion on this issue.

Respectfully submitted,

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